

Office of Professional Accountability (OPA)

Commendations & Complaints Report

March 2005

Commendations:

Commendation Received in March: 56

Commendations Received to Date: 120

Rank	Summary
(1) Sergeant	A sergeant was commended for the professionalism and the courteous manner which was shown during a tour of a precinct.
(1) Officer	An officer was commended for an outstanding job in recovering a stolen vehicle and the immediate response in notifying the victim.
(2) Officers	A note of thanks was received for two officers who presented life-skill and law enforcement career information to at-risk high school students.
(3) Lieutenants (1) Sergeant	Three lieutenants and a sergeant were sent a letter of appreciation for their exemplary input, assistance, dedication and professionalism shown during a football game.
(1) Officer	An officer received positive comments for work performance in successfully resolving a tense and hostile situation.
(2) Officers	Two officers were thanked for their participation in a career day event at an elementary school.
(1) Officer	An officer received a letter of thanks from a victim of an auto accident. Proper measures were immediately set in place to accommodate injuries and genuine concern for everyone's safety was shown.
(1) Parking Enforcement Officer	A citizen called to thank a parking enforcement officer for help with the new pay stations.
(2) Officers	Two officers were highly commended for their kindness and diligence shown to the victims of a traffic collision. Their level of care each of these officers took was above and beyond expectation.
(1) Detective	A note of appreciation was received for a detectives' expert work performed while investigating a threat.
(1) Officer	An officer was thanked for his professionalism, insightfulness and courteous manner he showed investigating a possible missing person.
(1) Officer	A letter of appreciation was received for a fine job at reducing the amount of drug trafficking and traffic at an apartment complex.
(4) Detectives (1) Civilian	A letter of thanks and gratitude was received for the work and dedication of staff in solving a 25-year old homicide case. The family appreciated their expertise, warmth, guidance, care and compassion through the years.
(2) Officers	A note was received thanking two officers who were very helpful in a harassment case and in enforcing a protection order.
(1) Officer	An officer was thanked for speaking to citizens concerning personal safety. She came across caring, empathetic, knowledgeable and deeply committed to the issues revolving around personal safety and family concerns.
(2) Officers (1) Civilian	Two officers and one civilian were thanked for their participation in a block watch meeting. They shared their knowledge and experience with the group. They showed genuine concern with current issues.
(8) Officers	A number of reported stolen vehicles were equipped with silent alarm systems. These officers picked up the silent alarm signal and tracked the signal to the various locations and recovered the stolen vehicles.
(1) Sergeant (2) Detectives	One sergeant and 2 detectives were commended for their involvement with the setting up and training of tracking vehicle silent alarm systems. Due to their fantastic job, 132 vehicles have been recovered without damage, and in some

	cases, suspects have been taken into custody.
(1) Officer	A note of thanks was received for an officer who spoke at a college criminal justice class. The speech included valuable tips on how to be successful in pursuing a career in policing and opportunities that are available.
(1) Sergeant	A sergeant was commended for his excellent work for establishing security programs and assessing critical facilities for another city department.
(1) Officer	An officer was thanked for his calm and understanding ways while investigating a non-injury accident.
(1) Detective	A detective was commended for his work on a jewelry theft case. The victims stolen jewelry and heirlooms were recovered as a result of the detectives' hard work.
(1) Lieutenant	A letter of appreciation was received by a lieutenant for the tremendous technical support and logistical expertise he brought to a community annual event.
(1) Officer	A letter was received commending the actions of an officer who responded to a traffic accident. He was able to calmly and efficiently keep everything under control.
(1) Sergeant Team of Officers	One sergeant and his team of officers were commended for their expert traffic enforcement. Their enforcement provided safety at a dangerous arterial for workers at a landscape construction project.
(1) Sergeant (6) Officers	A letter of gratitude was received commending a sergeant and officers for their dedication, teamwork, coordination and professionalism in saving a boat from sinking.
(1) Detective	A detective received a note of appreciation from the attendees at an Economic Crimes training seminar. She provided valuable information on identity fraud.

*This report includes commendations received from citizens or community members. Numerous commendations generated within the department are not included.

March 2005 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged that the named employee used unnecessary force during the booking process at the King County Jail.	The evidence indicates the suspect was intoxicated and aggressive and struck the named employee outside of a Seattle nightclub. The named employee stated he used force to take control of the subject by placing him in a headlock during the arrest; that he used an arm to pin the complainant against the wall when the complainant charged him in the holding cell; but denied using any force during the booking process. The complainant's memory was likely impaired by his level of intoxication. However, the force used was reasonable and necessary, and no evidence supports force during booking. Finding – EXONERATED.
The complainant alleged that named employee used	The evidence indicates that officers responded to a serious domestic violence assault call. The subject was hostile,

unnecessary force during the arrest of a subject for domestic violence.	combative, and intoxicated; he tried to push an officer off of a 15-foot high porch. Several officers struggled with the subject, who continued to resist and fight. The evidence indicates that the subject clearly tried to harm the officers. Though it appeared to the complainant that the officers were using excessive force, they did not know the circumstances surrounding the struggle and were not in a position to clearly observe the encounter. The victim of the domestic violence assault supported the officers' statements. The force used was documented and reported. Finding – EXONERATED.
The complainant alleged that unnecessary force was used during his arrest.	The evidence does not support the complainant's allegation. The named employee denies slamming the subject's head on the patrol car, and two witness officers support the named employee's version of what occurred. The complainant's booking photos do not show any indication of force. Finding - UNFOUNDED

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
The named employee referred to the complainant as "you people" while issue a jaywalking citation and ignoring two white females that jaywalked. It was also alleged that the named employee poked the complainant in the chest for no reason.	The named employee denied using the phrase "you people;" does not recall seeing other jaywalkers at the time of the citation; and denies that the citation was racially motivated. In addition, the named employee cited a white male for jaywalking just 10 minutes after the incident with the complainant, and a review of the last 100 citations the employee has written showed that 87 were for white defendants. Finding – UNFOUNDED. The poke in the chest allegation could not be proved or disproved. The employee denied the allegation and there were no witnesses. Finding – NOT SUSTAINED
The complainant alleged that the named employee used profanity during a contact.	The evidence indicates that the named employee contacted the complainant for suspicious activity including prostitution and narcotics. The complainant would not respond to verbal commands and became hostile and angry. The named employee admits to using a profane word because he felt he was on a dangerous situation and was attempting to get the complainant under control. Finding – EXONERATED.

FAILURE TO TAKE APPROPRIATE ACTION

Synopsis	Action Taken
Complainant alleged officers failed to take a report when she complained about an assault.	The named employees were working off-duty in uniform providing security in the parking lot of an underage club. The complainant alleges she reported an assault by a club employee, but that they did not offer her any assistance. Both named employees stated that the complainant was advised to wait a few minutes while they attended to a disturbance in the parking lot. An on-on duty officer did make a report from the complainant within 20 minutes. Finding – NOT SUSTAINED.

BIASED POLICING

Synopsis	Action Taken
It was alleged that the named employee racially profiled the	The facts showed that the officer was dispatched to remove an intoxicated person from a Metro bus. He boarded the

complainant on a Metro bus.	bus, which had few passengers and observed one African American passenger who was sleeping. When the driver directed him to a different passenger, he apologized to the first passenger and directed his attention to a white male who was awake and sitting by the driver. Finding - UNFOUNDED.
The complainant alleged the named employee contacted her for a minor violation, yelled at and berated her in front of her bystanders, because of her race.	The evidence indicates that the complainant was contacted for littering when she threw her cigarette. The named employee said she threw it into the street in front of his patrol car; the complainant said she only threw it on the ground. The contact escalated with the complainant becoming very angry. Though the complainant's belief that this encounter was motivated by race is legitimate, there are no objective facts to support this belief. The complainant was given a verbal warning. The new mediation program will provide a much better alternative to these types of complaints. Finding Biased Policing – UNFOUNDED. CUBO – NOT SUSTAINED.

FAILURE TO ID SELF

Synopsis	Action Taken
Complainant alleged the named employee failed to identify himself when requested during a traffic stop.	The investigation showed that the complainant and named employee engaged in light-hearted banter when it was discovered that the complainant and the officer's wife worked at the same company. The officer joked about covering his nametag and writing illegibly on the citation. The complainant obviously became upset at receiving a ticket rather than a warning. The employee did not engage in conduct unbecoming nor fail to identify himself. However, the employee should be more mindful of providing a legible signature. Finding – SUPERVISORY INTERVENTION.

SAFEGUARD/MISHANDLE EVIDENCE/PROPERTY

Synopsis	Action Taken
Complainant alleged the named employees removed jewelry and cash during an arrest in 2001 and never returned or documented the property.	A record check of the arrest shows that a pager and drugs were the only items recorded as taken from the complainant. Photographs taken at the time of arrest do not show him wearing a gold pendant. The complainant's statements were confused and inconsistent, and his complaint was over three years old. Investigators did track down some cash still in evidence under another incident and arrest. No credible evidence established that the complainant was missing a gold pendant. Finding – UNFOUNDED.

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

Referred for Supervisory Resolution.

Training or Policy Recommendation means that there has been no willful violation but that there may be deficient policies or inadequate training that need to be addressed.

“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

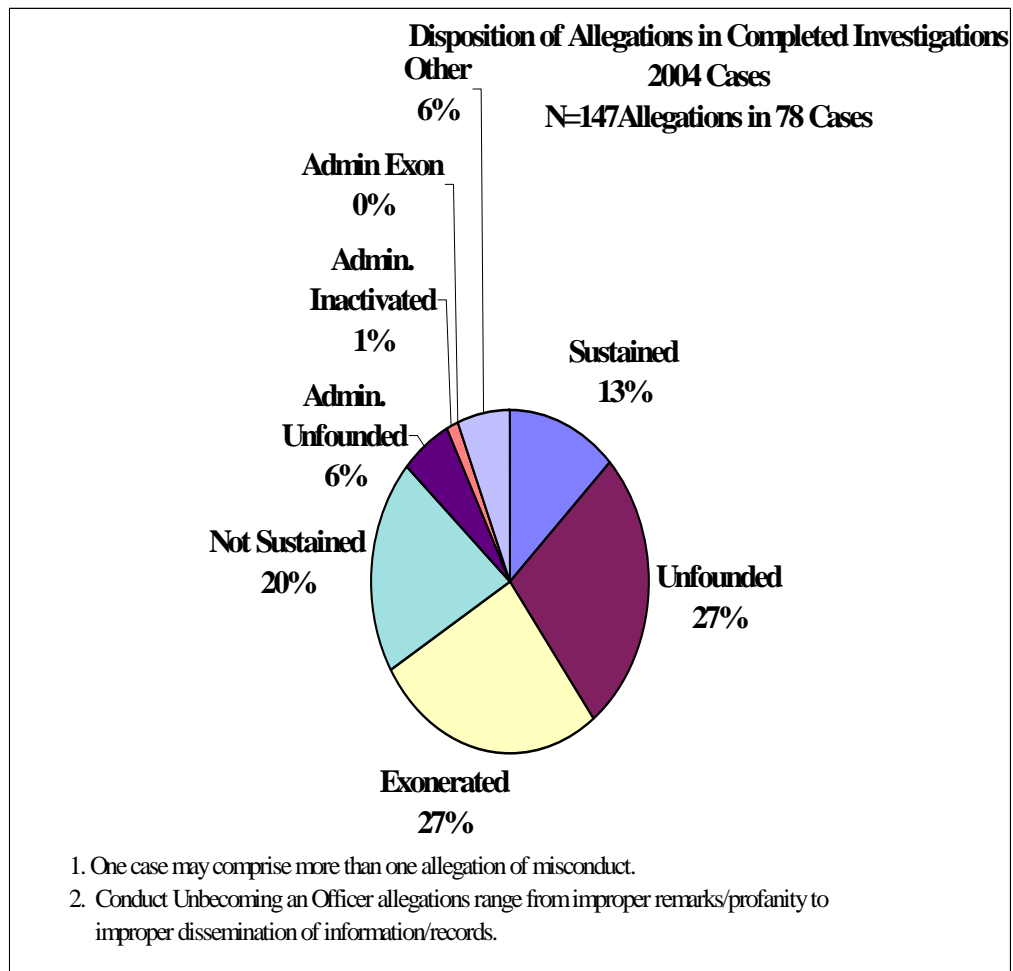
“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

Status of OPA Contacts to Date:

2004 Contacts

	December 2004	Jan-Dec 2004
Preliminary Investigation Reports	8	242
Cases Assigned for Supervisory Review	2	50
Cases Assigned for Investigation (IS;LI)	9	188
Cases Closed	13	78*
Commendations	41	702

*includes 2004 cases closed in 2005



2005 Contacts

	March 2005	Jan-Dec 2005
Preliminary Investigation Reports	25	72
Cases Assigned for Supervisory Review	7	15
Cases Assigned for Investigation (IS;LI)	27	59
Commendations	56	120